

DECLARATORY  
Improvement Res. No. 1189-1966

For the Vacation of a 14 foot wide utility  
and surface drainage easement over the east  
7 feet of Block 5 and the west 7 feet of  
Block 6, except the north 7 feet thereof,  
all in Interstate Industrial Park, Section "A".

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Resolution Adopted: April 26, 1966

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Confirmed: May 19, 1966

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Bids Received:

---

---

Contract Awarded:

---

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Contract and Bond:

---

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Contractor:

---

---

Reported Completed:

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Assessment Roll Confirmed:

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June 16, 1966

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B.O. 40-166

DECLARATORY RESOLUTION NO. 1189-1966

For the Vacation of a 14 foot wide utility and surface drainage easement over the east 7 feet of Block 5 and the west 7 feet of Block 6, except the north 7 feet thereof, all in Interstate Industrial Park, Section "A".

PLANS ORDERED:

ADOPTED:

April 26, 1966

ADVERTISE NOTICE TO PROPERTY OWNERS: April 29 & May 6, 1966  
Notices mailed May 6, 1966

HEARING ON CONFIRMATION: Thurs., May 19, 1966, 3:30 p. m.

CONFIRMED:

May 19, 1966

ASSESSMENT ROLL ORDERED:

May 19, 1966

ASSESSMENT ROLL APPROVED:

June 1, 1966

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., June 16, 1966 3:30 p. m.

NOTICE SERVED:

June 3, 1966

ASSESSMENT ROLL CONFIRMED:

June 16, 1966

## 1189

DECLARATORY RESOLUTION No. 19 66

For the Vacation ~~Opening~~ Condemnation of right of way for utility purposes of a 14 foot wide utility and surface drainage easement over the east 7 feet of Block 5 and the west 7 feet of Block 6, except the north 7 feet thereof, all in Interstate Industrial Park, Section "A".

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate a 14 foot wide utility and surface drainage easement over the east 7 feet of Block 5 and the west 7 feet of Block 6, except the north 7 feet thereof, all in Interstate Industrial Park, Section "A".

All as shown by a plan of such proposed Vacation ~~Opening~~ Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation ~~Opening~~ Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ Condemnation of right of way for utility purposes is described as follows: Blocks 5 and 6, Interstate Industrial Park, Section "A". Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ shall be subject to an easement for the ~~construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the south one-half of Section Twenty-two, Township 31 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 26

DAY OF

April 1966

Attest:

Secretary Board of Public Works.

*Rus D. Brumau*

VACATE UTILITY AND SURFACE WATER DRAINAGE EASEMENT

1189

80

EXECUTIVE BLVD.

40' R/W FOR PENNSYLVANIA R.R.

731 14' UTILITY EASEMENT

491 14' UTILITY EASEMENT

489

INTERSTATE

INDUSTRIAL

BLOCK 5

BLOCK 6

PARK

SECT "A" W N S E

60 PRODUCTION ROAD

731

791

751

751

751

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

BEFORE THE BOARD OF PUBLIC WORKS  
OF THE CITY OF FORT WAYNE  
AND  
THE CITY PLAN COMMISSION

PETITION TO VACATE A UTILITY AND  
SURFACE DRAINAGE EASEMENT

1. That this Petition involves a 14 foot utility drainage easement, running due North and South between Production Road and to a point 7 feet South of the North Line of Interstate Industrial Park, Section "A", being more particularly described as follows:

The East 7 feet of Block 5 and the West 7 feet of Block 6 except the North 7 feet thereof, all in Interstate Industrial Park, Section "A", an addition to the City of Fort Wayne, as recorded in the offices of the Recorder of Allen County, Indiana, in Plat Book 26, pages 65-67,

all of which said easement is adjacent to property owned by HBC Realty Corporation and Interstate Industrial Parks, Inc., which said easement is indicated on the attached "Exhibit A", made a part hereof, and marked in red.

2. That the easement as it now exists bisects the Petitioners' property, who are in the process of substantially improving said real estate by the construction of a large and attractive industrial addition to the building now occupied under lease with the Magnavor Company.

3. That the utility and surface drainage easement above described serves no useful purpose since all of the utility services have adequate easements to the North and to the South of said utility and surface drainage easement in location and sizes sufficient to adequately serve all present and future utility users.

4. That the existence of said utility and surface drainage easement and the right of the utility services to continue to use said easement would make the improvement of the Petitioners' property for all practical purposes impossible and would constitute a substantial burden without adversely

- 2 -

affecting any public utility purpose.

WHEREFORE, the undersigned respectfully prays that said utility and surface drainage easement be vacated.

INTERSTATE INDUSTRIAL PARKS, INC.

By: \_\_\_\_\_  
(Theodore F. Hagerman) President

By: \_\_\_\_\_  
(Sam W. Fletcher) Secretary

EBC REALTY CORPORATION

By: \_\_\_\_\_  
(William O. Hagerman) President

By: \_\_\_\_\_  
(Theodore F. Hagerman) Secretary

The Owners of all property adjacent to the utility and surface drainage easement herein described.

THIS INSTRUMENT PREPARED BY:  
EDWARD J. MOPPERTT, Attorney at Law  
1212 Anthony Wayne Bank Building  
Fort Wayne, Indiana 46802

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

49-235-1

B.O. 40-166

Date May 19, 1966

To City Engineer

Subject Dec. 1189-1966 Interstate Industrial Park, Sec. "A".

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
attach Reso. & P. O. List

NOTED  
 F.S.E.  
 R.W.D.  
 G.F.G.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Reply:

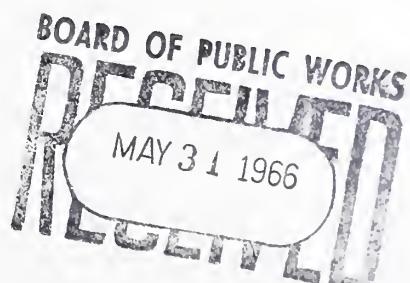
May 25, 1966

Assessment Roll of Benefits and Damages completed and attached.

*Walter H. Meitz*

Walter H. Meitz  
City Engineer

DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

Board of Public Works, City of Ft. Wayne  
(Governmental Unit)To.....NEWS-SENTINEL  
MAY 12 1966 Dr.

Allen .....County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	1
Body	number of lines	30
Tail	number of lines	5
Total number of lines in notice		36

## COMPUTATION OF CHARGES

36 lines, .....columns wide equals.....equivalent lines at .226¢  
cents per line \$ 8.74

Additional charge for notices containing rule and figure work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM \$ 8.74

## DATA FOR COMPUTING COST

Width of single column.....	1 1/2 ems	Size of type.....	5 1/2 point
Number of insertions.....	2	Size of quad upon which type is cast.....	5 1/2

Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 10, 1966

Title SECRETARY-TREASURER

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned. MARTHA L. BRANNING who, being duly sworn, says that She is SECRETARY-TREASURER of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

April 29, 1966

May 6, 1966

Subscribed and sworn to before me this 10th day of May 1966

Edith Stapleton  
Notary Public

My commission expires March 8, 1970

**Legals**

**NOTICE TO PROPERTY OWNERS**  
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 26th day of April, 1966, the said Board deeming it necessary to make certain improvements adopted the following:

**DECLARATORY RESOLUTION**  
No. 119-1966

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate a 14 foot wide utility and surface drainage easement over the east 7 feet of Block 5 and the west 7 feet of Block 6, except the north 7 feet thereof, all in Interstate Industrial Park, Section "A".

All as shown by a plan of such proposed vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed May 19th, 1966 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

FRED S. EHRMAN,  
ROBERT W. DAHMAN,  
GEO. F. GABLE,  
Board of Public Works.

ATTEST: KENNETH McGRAW, Clerk.  
4-29, 5-6.



Claim No. .... Warrant No. ....

IN FAVOR OF

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.  
That it is apparently } Correct  
{} Incorrect

GARRETT CLIPPER, Garrett, Ind.

\$ .....

On Account of Appropriation for

Appropriation No. ....

Allowed , 19 .....

In the sum of \$ .....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

195.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

Size of Type	11½ Em Column (138 Points)			
	Number of Insertions			
	1	2	3	4
5½	.151	.226	.301	.376
6	.138	.207	.276	.345
7	.118	.177	.237	.296
7½	.11	.166	.221	.276
8	.104	.155	.207	.259
9	.092	.138	.184	.23
10	.083	.124	.166	.207
12	.069	.104	.138	.173

Note: Above table is based on a square of 250 ems.

Board of Public Works, City of Ft. Wayne  
(Governmental Unit)

Allen County, Ind.

To..... JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

MAY 12

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	1
Body	number of lines	30
Tail	number of lines	5
Total number of lines in notice		36

## COMPUTATION OF CHARGES

36 lines, ..... columns wide equals ..... equivalent lines at .226¢  
cents per line \$ 8.14

Additional charge for notices containing rule and figure work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

**TOTAL AMOUNT OF CLAIM** \$ 8.14

## DATA FOR COMPUTING COST

Width of single column 11 $\frac{1}{2}$  ems Size of type 5 $\frac{1}{2}$  point

Number of insertions 2 Size of quad upon which type is cast 5 $\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*C. J. Ehrman*

Date May 10, 1966

Title ASSISTANT SECRETARY

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARNOLD F. SCHERER who, being duly sworn, says that he is ASSISTANT SECRETARY of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

April 29, 1966

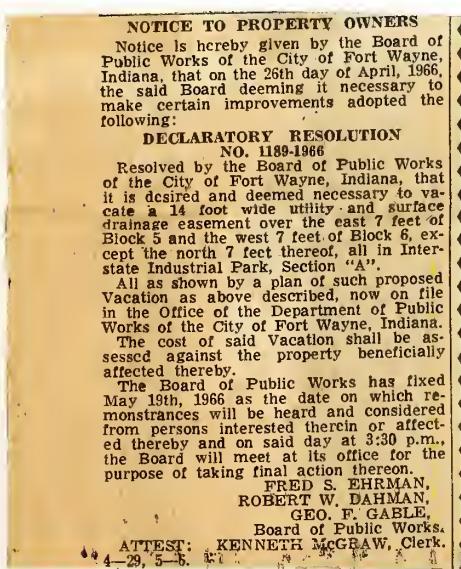
May 6, 1966

10th day of May 1966

*Edith Stapleton*  
Notary Public

My commission expires

March 8, 1970



Claim No. .... Warrant No. ....

IN FAVOR OF

\$ .....

On Account of Appropriation for

Appropriation No. ....

Allowed ..... 19 .....

In the sum of \$ .....

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.

That it is apparently <sup>Correct</sup> <sub>Incorrect</sub>

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

195.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

Size of Type	11½ Em Column (138 Points)			
	Number of Insertions			
	1	2	3	4
5½	.151	.226	.301	.376
6	.138	.207	.276	.345
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8	.104	.155	.207	.259
9	.092	.138	.184	.23
10	.083	.124	.166	.207
12	.069	.104	.138	.173

Note: Above table is based on a square of 250 ems.

# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, ..... May 6, 1966

1189

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
Declaratory  
pass Improvement Resolution No. 1189-1966 .....  
providing for the vacation of a 14 foot wide utility and surface drainage easement over  
the east 7 feet of block 5 and the west 7 feet of block 6, except the north 7 feet  
thereof, all in Interstate Industrial Park, Section "A".

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, May 19, 1966 at 3:30 pm in Conference Room 102 .....  
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Interstate Industrial Park, Sec. "A"

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

COPY

COPY

COPY

COPY

City of Fort Wayne



BOARD OF PUBLIC WORKS

RECEIVED  
APR 21 1966

ENGINEERING DEPARTMENT

425 SOUTH CALHOUN STREET

April 20, 1966

NOTED  
FORT WAYNE, INDIANA  
 F.S.E.  
 R.W.D.  
 G.F.G.

Date \_\_\_\_\_

Northern Indiana Public Service Company  
Indiana & Michigan Electric Company  
General Telephone Company

We have received a petition to vacate the following:

A 14 foot wide utility and surface water drainage easement across the east 7 feet of Block 5 and the west 7 feet of Block 6, except the north 7 feet thereof, all in Interstate Industrial Park, Section "A".

Please check your easement requirements on the enclosed post card and return to us as soon as possible.

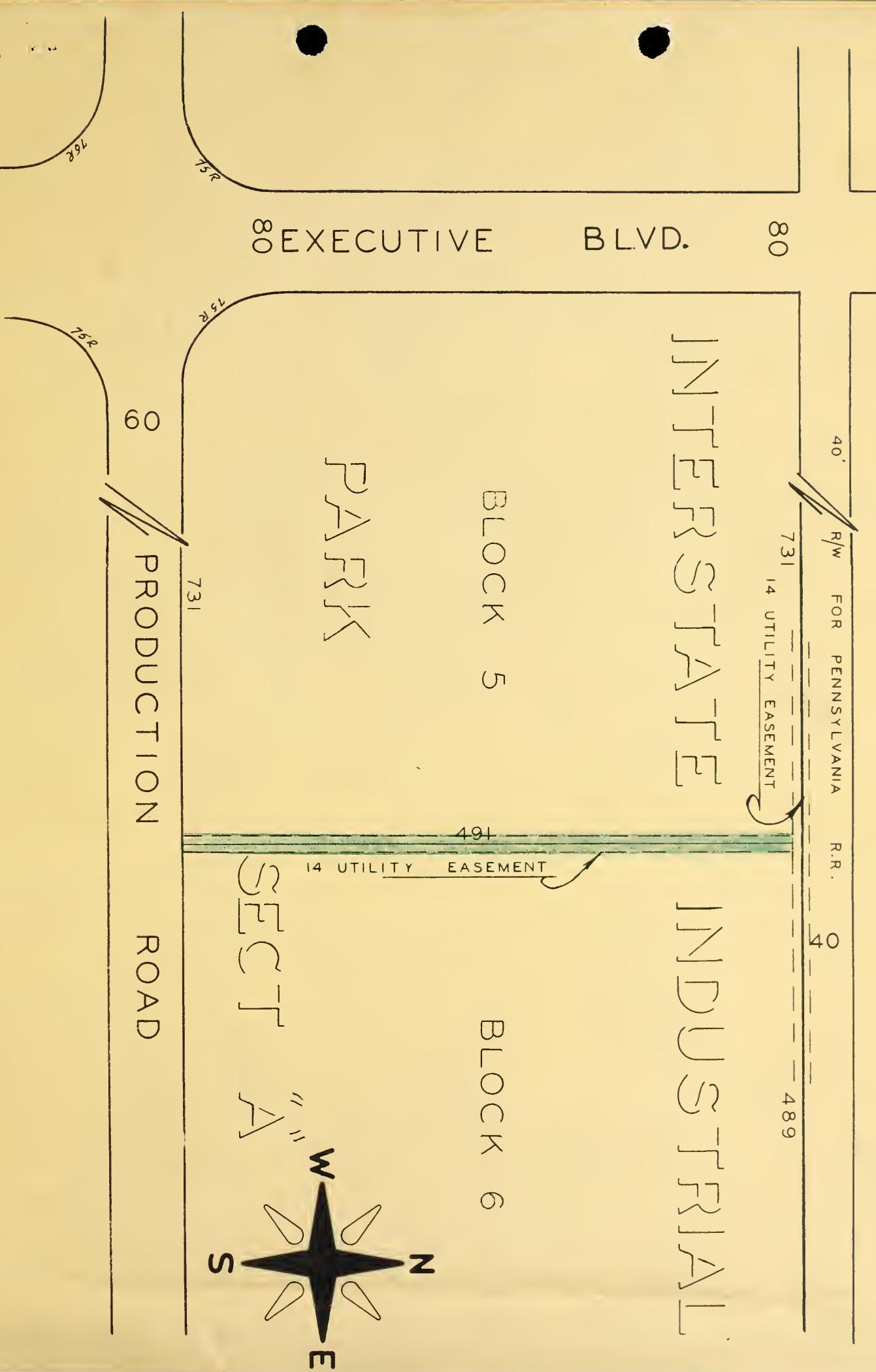
Very truly yours,

Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.

✓ cc: Board of Public Works  
(Board Order 40-66)

VACATE UTILITY AND SURFACE WATER DRAINAGE EASEMENT



ENGINEERING DEPARTMENT  
DEPARTMENT OF STREETS



FORT WAYNE 2, INDIANA

NOTED

B.O. 40-166

49-154-18

F.S.E.

Date March 10, 1966

R.W.D.

G.F.G.

To City Engineer - Attention Mr. Don Bodeker

Subject Vacation - Utility and Surface Drainage Easement - Interstate Industrial Park, Section "A"

Date

Please prepare Declaratory Resolution after conferring with all Governmental Agencies for the following:

- The East 7 feet of Block 5 and the West 7 feet of Block 6 except the North 7 feet thereof, all in Interstate Industrial Park, Section "A".

Fred S. Ehrman

Robert W. Dahman

George F. Gable

BOARD OF PUBLIC WORKS

ms

DUPLICATE - ORIGINAL DESTROYED IN THIS OFFICE.

Signed

Reply:

1189

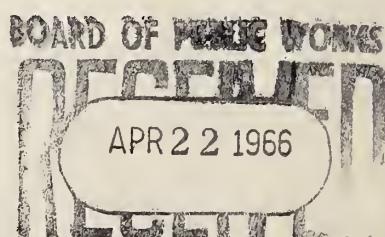
April 22, 1966

Declaratory Resolution, drawing and property ownership list completed and attached.

The Utility Companies previously consented to a release of this easement. Since the easement is also available for surface drainage purposes, however, the petitioner requested a Declaratory Resolution.

Walter H. Meitz  
City Engineer

DEB:lc  
attachs.



Signed

SENDER: REMOVE & KEEP 3RD COPY—RECEIVER: ANSWER & KEEP 2ND COPY—RETURN 1ST COPY

SECTION 1. The following Resolution of the City Plan Commission, to-wit:

"WHEREAS, Winfield Moses has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street located in the corporate limits of the City of Fort Wayne, Indiana, described as follows, to-wit:

  Melissa Street, west of Freeman Street,

all in accordance with the terms of Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, Section 53-734, 53-744 and 53-765): and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 15th day of November, 1965 at 7:30 o'clock P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said above described public street:

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved: and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the Common Council of the City of Fort Wayne for its action thereon."

duly adopted on November 23, 1965 following a public hearing thereon after first giving notice thereof, all pursuant to Section 44 of Chapter 174 of the acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the acts of 1963 of the General Assembly of the State of Indiana (Section 53-744, Burns Indiana Statutes Annotated, 1964 Replacement) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the Street described in said resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John H. Robinson  
Councilman

Read the third time in full and on motion by Robinson seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Buchanan, Dunifon, Fay, Hinga, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Date: 12-28-65.

Walter C. Meyers  
City Clerk

-3796-

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-51-65 on the 28th day of December, 1965.

ATTEST: (SEAL)

Walter C. Meyers  
City Clerk

Herbert G. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1965 at the hour of 10:00 o'clock A.M., E.S.T.

Walter C. Meyers  
City Clerk

Approved and signed by me this 31st day of December, 1965, at the hour of 9:43 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor.

Bill No. G-65-12-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on regulations to whom was referred an Ordinance amending General Ordinance No. G-97 by authorizing the vacation of public utility and surface drainage easement in Interstate Industrial Park, Section "A" have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John H. Robinson  
Jack K. Dunifon  
Edwin J. Rousseau  
John Nuckols  
Verlin H. Buchanan.

Concurred in 12-28-65.

Walter C. Meyers  
City Clerk

Bill No. G-65-12-15

GENERAL ORDINANCE NO. G-52-65

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public utility and surface drainage easement in Interstate Industrial Park, Section "A".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following Resolution of the City Plan Commission, to-wit:

"WHEREAS, HBC REALTY CORPORATION, an Indiana Corporation, and INTERSTATE INDUSTRIAL PARKS, INC., an Indiana Corporation, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility and surface drainage easement in the City of Fort Wayne, Allen County, Indiana, to-wit:

The East 7 feet of Block 5 and the West 7 feet of Block 6 except the North 7 feet thereof, all in Interstate Industrial Park, Section "A", an addition to the City of Fort Wayne, as recorded in the offices of the Recorder of Allen County, Indiana, in Plat Book 26, pages 65-67,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964 Replacement, Section 53-744; and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 15th day of November, 1965 at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public utility and surface drainage easement:

NOW THEREFORE, BE IT RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public utility and surface drainage easement hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public utility and surface drainage easement hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of public utility and surface drainage easements and other public ways in the City of Fort Wayne, Allen County, Indiana."

duly adopted on November 23, 1965 following a public hearing thereon after first giving notice thereof, all pursuant to Section 44 of Chapter 174 of the acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the acts of 1963 of the General Assembly of the State of Indiana (Section 53-744, Burns Indiana Statutes Annotated, 1964 Replacement) is hereby approved and the recommendations made by said Commission are now accepted.

SECTION 2. Vacation of the public utility and surface drainage easement described in said resolution in any manner provided by law is hereby authorized and approved.

SECTION 3. Upon such vacation the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, is hereby amended accordingly.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John H. Robinson  
Councilman

Read the third time in full and on motion by Robinson seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Buchanan, Dunifon, Fay, Hinga, Nuckles, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Date: 12-28-65.

Walter C. Meyers  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-52-65 on the 28th day of December, 1965.

ATTEST: (SEAL)

Walter C. Meyers  
City Clerk

Herbert G. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1965 at the hour of 10:00 o'clock A.M., E.S.T.

Walter C. Meyers  
City Clerk

Approved and signed by me this 31st day of December, 1965, at the hour of 9:44 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor.

Bill No. R-65-12-16

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on city utilities to whom was referred a RESOLUTION authorizing the Board of Public Works to sell certain scrap materials owned by the City Utilities have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Jack K. Dunifon  
Edwin J. Rousseau  
Phil A. Steigerwald  
John H. Robinson  
Verlin H. Buchanan

Concurred in 12-28-65.

Walter C. Meyers  
City Clerk

Bill No. R-65-12-16

RESOLUTION NO. R-29-65

A RESOLUTION authorizing the Board of Public Works to sell certain scrap materials owned by the City Utilities.

DECLARATORY

## Improvement Resolution No. 1189-1966 For The Vacation Of A 14 Foot Wide Utility And Surface

Drainage Easement Over The East 7 Feet Of Block 5 And The West 7 Feet Of Block 6, Except The  
North 7 Feet Thereof, All In Interstate Industrial Park, Section "A".

	OWNER'S NAME	ADDRESS	LOT	NUMBER OF BLOCK	O.L.	DESCRIPTION
1	HBC REALTY CORP.	210 EDWARD J. MOFFERT JR. 1212 ANTHONY WAYNE BLDG.		5		INTERSTATE INDUSTRIAL PARK, SECT. "A"
2	"	"		6		"
3						
4						
5						
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